

**MARICOPA COUNTY BOARD OF SUPERVISORS MINUTE BOOK**

**SPECIAL SESSION  
August 28, 2006**

The Board of Supervisors of Maricopa County, Arizona convened in Special Session at 11:00 a.m., August 28, 2006, in the Tom Sullivan Conference Room, 301 W. Jefferson, Phoenix, Arizona, with the following members present: Don Stapley, Chairman, District 2; Fulton Brock, Vice Chairman, District 1; Andy Kunasek, District 3, Max W. Wilson, District 4, and Mary Rose Wilcox, District 5 (entered late). Also present: Fran McCarroll, Clerk of the Board; Shirley Million, Administrative Coordinator; Sandi Wilson, Deputy County Manager, David Smith, County Manager; Bruce White, Deputy County Attorney and Victoria Mangiapane, Deputy County Attorney. Votes of the Members will be recorded as follows: aye-no-absent-abstain.

**AMENDMENT TO THE STREET LIGHTING IMPROVEMENT DISTRICT 2006 TAX RATE**

Motion was made by Supervisor Wilson, seconded by Supervisor Brock, and unanimously carried (4-0-1) to correct the action taken on August 21, 2006, by the Board of Directors in Item No. ID-1 "Street Lighting Improvement Districts 2006 Tax Rate" regarding the calculation of the levy and the setting of the resulting tax rate for the Street Lighting Improvement Districts listed on file in the Clerk of the Board's Office. (ADM4301-003) (C4907006801)

**AMENDMENT TO 2006 TAX RATE - MARLEY PARK CFD**

Tom Manos, Chief Financial Officer, responded to a question from Chairman Stapley and explained that the assessed value in the Marley Park CFD had originally been miscalculated, which made the 2006 Property Tax Levy for this district incorrect. He stated that all rates have now been corrected for each special district. Motion was made by Supervisor Kunasek, seconded by Supervisor Wilson, and unanimously carried (4-0-1) to correct the action taken on August 21, 2006, by the Board of Supervisors in Item No. 1 "Fix and Determine Tax Rate", section two regarding the calculation of the levy and the setting of the resulting tax rate for the Marley Park Community Facilities District on Schedule F, Page 9. The request was originally listed as follows:

<b>District #</b>	<b>District</b>	<b>Levy Purpose</b>	<b>2006 Property Tax Levy</b>	<b>2006 Assessed Value/Acreage</b>	<b>2006 Tax Rate</b>
28839	Marley Park CFD	Operation	14,497	4,832,287	0.3000

Based on a corrected resolution from the Marley Park CFD Board of Directors, the corrected item should read:

<b>District #</b>	<b>District</b>	<b>Levy Purpose</b>	<b>2006 Property Tax Levy</b>	<b>2006 Assessed Value/Acreage</b>	<b>2006 Tax Rate</b>
28839	Marley Park CFD	Operation <i>and Debt Service</i>	159,465	4,832,287	3.3000

(Items added or changed are italicized)

Direct the Treasurer to make corresponding changes in the affected tax bills. (C4907004801) (ADM1815)

**EXECUTIVE SESSION CALLED**

Pursuant to A.R.S. §38-431.03, et.al., motion was made by Supervisor Brock, seconded by Supervisor Kunasek, and unanimously carried (4-0-1) to recess and reconvene in Executive Session for the purpose of obtaining legal advice from the Board's attorney in reviewing matters listed below pursuant to the listed statutory references. All members remained in session when the meeting reconvened. Bruce White left the meeting and Chris Keller, Chief Counsel, Civil Division entered the meeting.

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**~ Supervisor Wilcox entered the meeting ~**

**PENDING OR CONTEMPLATED LITIGATION; SETTLEMENT DISCUSSIONS CONDUCTED IN ORDER TO AVOID OR RESOLVE LITIGATION – ARS §38-431.03(A)(4)**

**E-1. Aida Renta v. Maricopa County, CV1996-016474**

Keith Russell, Assessor, entered late  
Roberta Livesay, Outside Counsel  
Jean Rice, Deputy County Attorney

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) AND (A)(4)**

**E-2. Appeals to the Board of Supervisors for Residential Classification**

Keith Russell, Assessor  
Timothy Boncoskey, Chief Deputy Assessor, **did not attend**  
Joan Blackburn, Support Services Manager  
Fran McCarroll, Clerk of the Board  
Lori Pacini, Deputy Clerk of the Board, **did not attend**  
Jerry Fries, Outside Counsel  
Jean Rice, Deputy County Attorney

Chief Counsel Christopher Keller left the meeting. Outside counsel Dean Wolcott entered the meeting to represent the Board.

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION; CONTRACTS SUBJECT TO NEGOTIATION – ARS §38-431.03(A)(3) AND (A)(4)**

**E-3. Dr. Dowling v. Maricopa County Board of Supervisors, et al, LC-2006-000370-001-DT, and legal advice, claims, and options concerning County Regional School District #509 funding and contracts.**

Sandi Wilson, Deputy County Manager  
Brian Hushek, Deputy Budget Director  
Tom Manos, Chief Financial Officer  
Tom Irvine, Outside Counsel  
Fred Rosenfeld, Outside Counsel  
LeeAnn Bohn, Budget Manager  
Shawn Nau, Total Compensation  
David Schweikert, County Treasurer  
Steve Partridge, Deputy Treasurer  
Dean Wolcott, Outside Counsel for the Board  
Chiefs of Staff Candland, Bloom, Isham, Latto

**LEGAL ADVICE – ARS §38-431.03(A)(3)**

**E-4. Legal Advice and counsel on employment law liability resulting from working conditions, threats, and/or intimidation directed to County Employees**

Mark Ogden, Outside Counsel, Littler Mendelson  
Sandi Wilson, Deputy County Manager  
Gwynn Simpson, Director, Human Resources  
Elizabeth Yaquinto, Health Care Mandates

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Chief Counsel Christopher Keller returned to the meeting and Dean Wolcott left the meeting.

**~ Supervisor Wilcox Left The Meeting And Would Not Return ~**

**LEGAL ADVICE; PENDING OR CONTEMPLATED LITIGATION – ARS §38-431.03(A)(3) AND (A)(4)**

**E-5. Legal advice concerning employee payroll deductions and possible litigation**

Clarisse McCormick, Deputy County Attorney  
Christopher Keller, Chief, Civil Division  
Chief Hendershott, Maricopa County Sheriff's Office  
Sandi Wilson, Deputy County Attorney, **did not attend**  
Gwynn Simpson, Director, Human Resources  
Charles Fine, Outside Counsel  
Mark Ogden, Outside Counsel, Littler Mendelson  
Chiefs of Staff Candland, Bloom, Isham

**~ Supervisor Brock Left The Meeting And Would Not Return ~**

**E-6. Complaint filed by J. Christopher Carey, M.D. against Maricopa County et al.**

Tim Casey, Outside Counsel  
Christopher Keller, Chief, Civil Division  
Peter Crowley, Risk Manager  
Patrick Spencer, Claims Manager, **did not attend**  
Richard Stewart, Deputy County Attorney, **did not attend**

**MEETING ADJOURNED**

After considering the items listed above and there being no further business to come before the Board, the meeting was adjourned.

\_\_\_\_\_  
Don Stapley, Chairman of the Board

ATTEST:

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Fran McCarroll, Clerk of the Board